

REMARKS/ARGUMENTS

Prior to this amendment, claims 1-15 were pending and claims 16-24 and 26-29 were withdrawn. In this amendment, claims 1 and 6 are amended and claims 16-24 and 26-29 are canceled. Claims 30-42 are added. Thus, after entry of this amendment, claims 1-15 and 30-42 will be pending.

Rejection under 35 U.S.C. 102(b), Hudda

Claims 1-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hudda (US Pub.No.2001/0049636).

Claim 1 is allowable as Hudda does not teach or suggest each and every element of claim 1. For example, claim 1 recites "*wherein the user is not logged in to the service control system during the performance of any of steps (a)-(d).*"

Hudda is directed to providing shopping services so that a consumer may purchase an item via a wireless interaction. *See Hudda*, paragraphs 9-13. The consumer may purchase goods using the wireless interaction while viewing the goods at a store and have them shipped, or the consumer may take the goods home directly from the store, if available. *Id.*, FIGS. 2 and 3. In every instance and description, the user logs in to the system (step 52) in order for the consumer to see reviews of goods, select goods, and/or to purchase an item. *Id.*, FIGS. 2-6. The consumer stays connected to the system for the duration of the purchase or the creation of a wish list. *Id.*, FIGS. 2-6 and paragraphs 109-110. The act of logging in is also described as including the supplying of authentication information. *Id.*, paragraph 148.

Nowhere does Hudda mention the possibility or mechanism for a consumer to purchase an item without having to first log in to the system. Accordingly, Hudda does not teach or suggest "*wherein the user is not logged in to the service control system during the performance of any of steps (a)-(d),*" as recited in claim 1.

For at least these reasons, claim 1 is allowable over the cited references. As claim 1 is allowable, claims 2-15 and 30-36 which depend therefrom are also allowable for at least the same rationale.

Applicants submit that independent claim 37 is allowable for at least the same rationale as claim 1. As claim 37 is allowable, claims 38-42 which depend therefrom are also allowable for at least the same rationale.

Rejection under 35 U.S.C. 102(b), Hudda in view of Yamazaki

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hudda in view of Yamazaki (US Pub. No.2003/0004834). Claims 12-14 are allowable for being dependent on allowable claim 1 as the cited teaching of Yamazaki fail to make up for the deficiencies of claim 1.

In addition to being allowable for the same rationale as claim 1, claim 12 is allowable for additional reasons. For example, claim 12 recites "*marking, at the service control system, the confirmation code as claimed to prevent future utilization of said confirmation code to claim said purchased service.*"

At page 10, the Office Action asserts that paragraphs 191 and 216-217 teach the above limitation; however, Applicants respectfully disagree. Yamazaki describes marking a bill statement, and not "*marking [a] confirmation code*," as recited in claim 12. See Yamazaki, paragraph 191 line 14. Note that paragraphs 216-217 describes events related to a successful internet connection and nothing related to marking any type of object to prevent further utilization of a confirmation code.

Furthermore, Applicants fail to see any use in Yamazaki of a confirmation code, as recited in the claims. Authentication information 123 is used to determine whether a person has a valid account for connecting to the Internet, but this authentication information flows from the user to a server, and not from a control system to a user, as recited in the claims. See Yamazaki, paragraph 7. If a different piece of information of Yamazaki is being interpreted as a confirmation code, then Applicants respectfully request the specific identification of such information.

For at least this additional reason, claim 12 is allowable over the cited references.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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